IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY EIGHTH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI JUSTICE G. BIKSHAPATHY

and
THE HON'BLE SRI JUSTICE Ch.S.R.K. PRASAD

WRIT PETITION NO : 12654 of 2004

Between:

Malladi Anuradha, W/o. Koteswara Rao,
Gullapalli Village, Cherukupalli Village,
Guntur District.

..... PETITIONER

AND

1 The Government of Andhra Pradesh, rep by its Secretary,
Home Department, Secretariat Buildings, Hyderabad.
2 The Superintendent of Police, Guntur.
3 The Deputy Superintendent of Police, Bapatla, Guntur District.
4 The Inspector of Police, Ponnuru Police Station, Guntur District.
5 The Sub-Inspector of Police, Cherukupalli Police Station,
Cherukupalli Mandal, Guntur District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court will be pleased to issue a writ or Habeas Corpus or any other appropriate writ order or direction, directing the respondent Police Authorities to produce petitioner's husband Sri Malladi Koteswara Rao, S/o. Siva Prasad, aged 45 years in body before this Hon'ble Court and to pass such other orders.

Counsel for the Petitioner: MR.K.VIJAY CHOWDARY

Counsel for the Respondents: THE ADVOCATE GENERAL

The Court made the following Order: (per GBJ)

1. The writ petition is filed seeking a writ of Hebeas Corpus directing the respondents-authorities to produce the petitioner's husband Malladi Koteswara Rao s/o Siva Prasad, aged 45 years.

2. After issuing notice to the respondents, a counter affidavit has been filed by the Sub Inspector of Police, Cherukupalli Police Station, stating that the husband of the petitioner was arrested on 24-07-2004 in Cr.No.54 of 2003 under Section 420 IPC and Section 5 of A.P. Protection of Depositors of Finance Establishment Act, 1999 and he was produced before the Chief Judicial Magistrate-cum-Principal Assistant Sessions Judge, Guntur, who remanded him to judicial custody. It is now stated that the husband of the petitioner is in District Jail, Guntur.

3. In view of this, we do not find any ground to proceed further in the matter.

The writ petition is accordingly dismissed.

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G. BIKSHAPATHY,J

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Ch.S.R.K. PRASAD,J

28-07-2004

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1 The Government of Andhra Pradesh, rep by its Secretary,
Home Department, Secretariat Buildings, Hyderabad.
2 The Superintendent of Police, Guntur.
3 The Deputy Superintendent of Police, Bapatla, Guntur District.
4 The Inspector of Police, Ponnuru Police Station, Guntur District.
5 The Sub-Inspector of Police, Cherukupalli Police Station,
Cherukupalli Mandal, Guntur District.

6. Two CD copies.

7. The Advocate General, High Court of A.P,Hyderabad.